

ORIGINAL

Before the
Federal Communications Commission
 Washington, D.C. 20554

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In the Matter of)
)
 Amendment of Section 73.202(b))
 Table of Allotments)
 FM Broadcast Stations)
 (Sheffield, Pennsylvania))

RM-

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

TO: Mass Media Bureau (Policy & Rules)

PETITION FOR RULE MAKING

Port Erie Communications, by its attorney, respectfully petitions for rule making so as to allot Channel 286A (105.1 MHz) to Sheffield, Pennsylvania, as its first local service.

Sheffield is a census designated place located within Warren County in northwest Pennsylvania. Its 1990 U.S. Census population is 1,294. See Exhibit 1, Technical Exhibit prepared by duTreil, Lundin & Rackley, Inc.

Sheffield clearly meets the Commission's definition of a community. There are churches, such as the Sheffield United Methodist Church within Sheffield and a local U.S. Post Office with its own unique zip code, 16347.

There are several businesses in Sheffield, some of which identify themselves with the community, such as the Sheffield Laundry and Sheffield Recycling Center for example. The local Sheffield Rotary Club is active in community activities. Sheffield has its own local public library and a fire department.

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Children in the area attend the Sheffield Elementary School, while older students are educated at the Sheffield Area Middle-Senior High School.

The above facts demonstrate that residents regard Sheffield as a community of its own, with a separate identity. See *Keanansville, Florida*, 10 FCC Rcd 9831 (1985).

No radio station is currently licensed nor allocated to Sheffield, Pennsylvania. Grant of this petition will thus provide Sheffield with its first local radio service.

According to the Commission's web site, the official reference coordinates for Sheffield are: NL 41° 42' 13", WL 79° 02' 09". See Exhibit 2.

As shown from the attached spacing study, Exhibit 1, from the proposed allotment coordinates of 41° 42' 42", WL 79° 00' 56" all domestic stations are fully spaced. However, a slight site restriction of 1.9 km northeast will be required. The allotment coordinates are short-spaced to three vacant Class B first adjacent channel Canadian allotments in Port Colborne, Ontario and a vacant Class A co-channel allotment in Niagara Falls, Ontario. However, none of these Canadian allotments should present a bar to grant of the instant petition; therefore, Canadian concurrence is respectfully requested as a specially negotiated limited short-spaced allotment.

A station operating as a Class A facility at the allotment coordinates will provide all of Sheffield with city-grade service.

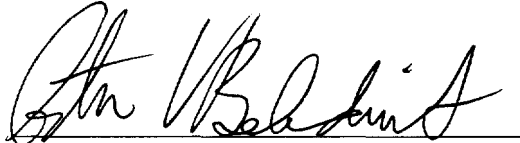
Should the Commission allot Channel 286A to Sheffield, Port Erie Communications will apply for a construction permit for a new FM station at Sheffield upon the opening of a filing window, and will promptly construct and operate the station should it receive a construction permit.

In view of the above, the Commission should allot Channel 286A to Sheffield,
Pennsylvania, as its first local service.

Respectfully submitted,

PORT ERIE COMMUNICATIONS

By:

A handwritten signature in black ink, appearing to read "Arthur V. Belendiuk", written over a horizontal line.

Arthur V. Belendiuk
Its Attorney

SMITHWICK & BELENDIUK, P.C.

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January 27, 2000

EXHIBIT 1

TECHNICAL EXHIBIT
IN SUPPORT OF A
PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
CHANNEL 286A
SHEFFIELD, PENNSYLVANIA

Technical Narrative

This technical narrative and associated exhibits were prepared in support of a Petition for Rule Making to amend Section 73.202(b) by the allotment of channel 286A (105.1 MHz) to Sheffield, Pennsylvania.

Proposed Change in Table of Allotments

It is requested that Section 73.202(b) be amended by the allotment of channel 286A to Sheffield, Pennsylvania. Sheffield is located in Warren County, Pennsylvania and has a 1990 U.S. Census population of 1,294 persons. Sheffield has no local FM or AM stations. Therefore, Petitioner's proposal would provide a first local aural broadcast service to Sheffield. The proposed changes are as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Sheffield, Pennsylvania	--	286A

The proposed channel 286A reference point is located approximately 108 km from the nearest point of the U.S.-Canadian border; therefore, coordination with Canada is necessary.

Compliance With FCC Rules

The attached Figure 1, Sheet 1, is a tabulation of required separations pertinent to use of channel 286A at Sheffield. As shown, the reference coordinates comply

with the Commission's minimum distance separation requirements contained in Section 73.207 with respect to all existing, authorized and proposed domestic stations and allotments.

Short-spacings for channel 286A at Sheffield are indicated on Figure 1, Sheet 1, with one Canadian allotment, namely, channel 285B at Port Colborne, Ontario. Therefore, it is requested that the proposed allotment of channel 286A at Sheffield be coordinated with Canada as a specially-negotiated, short-spaced, maximum facility (ERP 6 kW/100 meters) Class A allotment. Sheet 2 of Figure 1 is an allocation study based on the U.S.- Canadian FM Agreement (Ottawa, February 1991) which indicates that operation on channel 286A at Sheffield would be permitted with maximum Class A facilities towards the channel 285B allotment at Port Colborne.

Figure 2 is a map showing the area to locate channel 286A at Sheffield in compliance with the Commission's minimum distance separation requirements and city coverage requirements based on maximum Class A facilities (ERP 6 kW/HAAT 100 m). The Sheffield city limits shown on Figure 2 were obtained from a map contained in the 1990 U.S. Census of Population.

Conclusion

Channel 286A can be allotted to Sheffield, Pennsylvania in compliance with all applicable Commission Rules. It will be necessary to coordinate the proposal with Canada as a specially-negotiated, short-spaced, maximum facility (ERP 6 kW/100 meters) Class A allotment.



W. Jeffrey Reynolds

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January 20, 2000

FM SEPARATION STUDY

Job Title : Proposed Ch 286A, Sheffield, PA Separation Buffer 32 km
FCC DB Date : 12/30/99
Channel 286A (105.1 MHz) Coordinates : 41-42-42 79-00-56

Call	City	Channel	ERP(kW)	Latitude	Bearing	Dist.	Req.
Status	State	FCC File No.	Freq.	HAAT(m)	Longitude	deg-Tru	(km)

	Port Colborne	285B		42-53-00	352.2	131.39	137
ON		104.9	.0	79-14-00		-5.61	SHORT ¹

SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.

	Port Colborne	285B		42-53-00	352.2	131.39	137
ON		104.9	.0	79-14-00		-5.61	SHORT ¹

CANADIAN PROPOSAL - SPECIAL NEGOTIATED SHORT-SPACED ALLOTMENT.

	Port Colborne	285B		42-53-53	353.4	132.69	137
ON		104.9	.0	79-12-10		-4.31	SHORT ¹

Specially negotiated short-spaced allotment w/pwr ltd to 49.5kw & HAAT of 14 4.4m towards Montour Falls, NY & HAAT of 149.4m towards Geneva, ON

	Niagara Falls	285B		43-04-50	354.3	152.83	137
ON		104.9	.0	79-12-05		15.83	CLOSE

SPECIALLY NEGOTIATED SHORT-SPACED ALLOTMENT.

	Niagara Falls	285B		43-05-43	354.5	154.44	137
ON		104.9	.0	79-11-55		17.44	CLEAR

CANADIAN PROPOSAL - SPECIAL NEGOTIATED SHORT-SPACED ALLOTMENT.

	Niagara Falls	285B		43-06-47	354.5	156.41	137
ON		104.9	.0	79-11-58		19.41	CLEAR

SPECIALLY NEGOTIATED SHORT-SPACED ALLOTMENT.

	Niagara Falls	286A		43-05-05	358.1	152.62	151
ON		105.1	.0	79-04-46		1.62	CLOSE

Proposed by Canada 971125-Accepted by Commission 980225

WQXK	Salem	286B	88.	40-53-06	239.4	177.60	178
LIC	OH	BLH810309AD	105.1	80-49-50		-0.40	CLOSE

GRANDFATHERED AT 88KW @ 131M HAAT.

WILQ	Williamsport	286B	9.2	41-11-43	107.9	180.17	178
LIC	PA	BLH890403KA	105.1	76-58-18		2.17	CLOSE

WKPQ	Hornell	287B	43.	42-17-32	59.3	128.50	113
LIC	NY	BLH880614KB	105.3	77-40-27		15.50	CLOSE

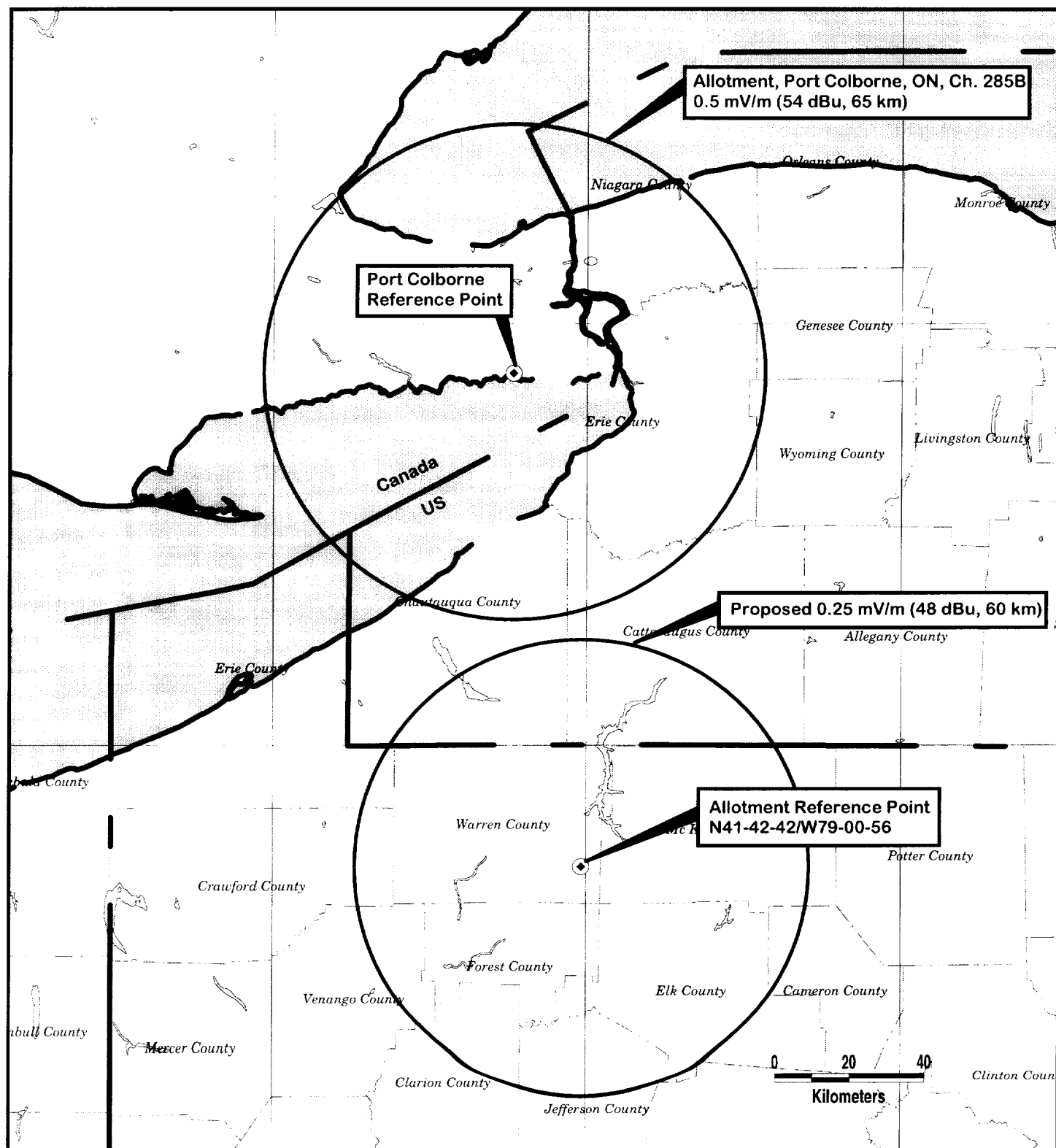
SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION

WMKX	Brookville	288B1	16.0	41-07-21	183.6	65.57	48
CP	PA	BPH960701ID	105.5	79-03-51	SS	17.57	CLEAR

From Channel 240A per D87-433

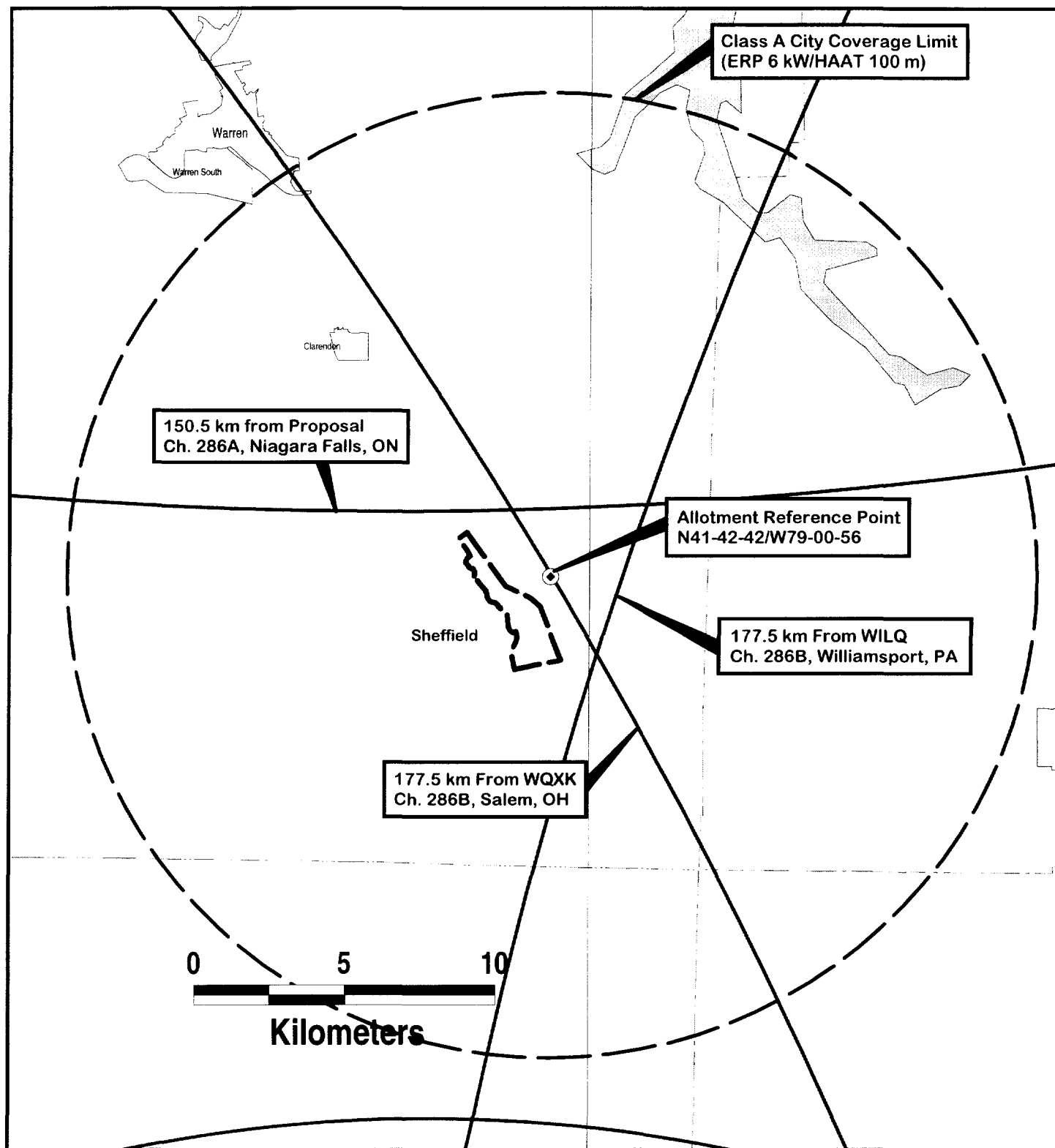
** End of separation study for channel 286A **

¹ It is requested that the proposal be coordinated with Canada as a "short-spaced", maximum facilities (ERP 6 kW/HAAT 100 m) Class A allotment with the channel 285B allotment at Port Colborne. See Sheet 2 of Figure 1.



**CANADIAN ALLOCATION STUDY
CHANNEL 286A
SHEFFIELD, PENNSYLVANIA**

Figure 2



**AREA-TO-LOCATE
CHANNEL 286A
SHEFFIELD, PENNSYLVANIA**

EXHIBIT 2

You Entered:

SHEFFIELD, PA

SHEFFIELD , PA

Latitude: N 41 42 13

Longitude: W 79 2 9

[Map of Coordinates](#)

Another Community?

City or Community:

U.S. State or Possession:

 ▼

(State is a required field)

Submit Request

Clear Entry

